

3 PLEASANT GROVE CITY4 PLANNING COMMISSION MEETING MINUTES

**DECEMBER 14, 2023** 

PRESENT: Chair Dustin Phillips, Karla Patten, Todd Fugal, Jim Martineau, Alicia Redding

**STAFF:** Jacob Hawkins, City Planner (participated via telephone); Aaron Wilson, City Engineer; Paul Douglass, Planning Technician; Kara Kresser, Permit Technician; Christina Gregory, Planning and Zoning Assistant

EXCUSED: Commissioner Jeffrey Butler; Commissioner Wendy Shirley; Daniel Cardenas,
 Community Development Director

Chair Dustin Phillips called the meeting to order at 7:00 p.m.

#### **REGULAR SESSION**

#### **Commission Business:**

1. Pledge of Allegiance and Opening Remarks: Commissioner Redding led the Pledge of Allegiance. Commissioner Fugal offered the opening remarks. Chair Phillips welcomed members of the public who were present.

### 2. Agenda Approval.

Chair Phillips reported that agenda items 6 through 10 would be continued.

MOTION: Commissioner Martineau moved to ACCEPT tonight's agenda for items 1 through 5 with items 6 through 10 being moved to the January 11, 2024, meeting. Commissioner Patten seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

### 3. Staff Reports:

• **MOTION:** Commissioner Fugal moved to ACCEPT the Staff Reports with one correction. Item 2 includes a heading on the analysis that references the R1-8 requirements that should be R1-9. Commissioner Redding seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

### 4. Declaration of Conflicts and Abstentions from Commission Members.

3 There were no declarations or abstentions.

## <u>ITEM 1 – Public Hearing: Preliminary Subdivision Plat – Located at approximately 325 East 700 North</u>

### (Monkey Town Neighborhood)

Public Hearing to Consider the Request of Katherine Duvall for a One-Lot Preliminary Subdivision Plat, called Duvall Subdivision Plat 'A' on 0.25 Acres, Approximately located at 325 East 700 North in the R1-8 (Single-Family Residential) Zone.

Planning Technician, Paul Douglass, presented the Staff Report and stated that the request is for a one-lot subdivision. The applicant is primarily eliminating nuisance strips and making sure that all street frontage improvements are made. Nuisance strips were described as parcels that overlap properties or are leftover between properties and visible on aerial maps. The proposed subdivision meets all of the requirements for the R1-8 zone in terms of lot area and width. Staff recommended approval.

The applicant was present but did not comment.

Chair Phillips opened the public hearing.

Lonnie Adams reported that the east property line is adjacent to the west property line of the subject property. He asked if the City plans to require the applicant to install curb and gutter. City Engineer. Aaron Wilson, reported that the applicant will be installing curb and gutter in front of the lot. Mr. Adams asked about mitigation due to the existing slope. Mr. Wilson explained that a drainage swale will be put in that will run down to the inlet on the corner so that the drainage from the curb and gutter will be taken directly to the inlet. Mr. Adams identified an existing cement retaining wall on the plans and asked what would prevent debris from the subject property from flowing onto his property. Mr. Wilson stated that the applicant will be required to install a berm to retain the water. Mr. Adams claimed that it would take more than a berm to accomplish that. Currently, there is a cement retaining wall with a fence on top that is adequate. He recommended that the same thing be installed along that border. Mr. Wilson offered to look at the plan with Mr. Adams after the meeting to discuss the matter further. Mr. Adams stated that the alternative would be for the existing fence and retaining wall to remain, which would leave 10 feet that could be used. He was willing to live with that, which would save the applicant on building costs. He offered to meet with the City and the applicant to discuss the matter further. Mr. Wilson explained that one of the conditions is that all Planning. Engineering, and Zoning requirements are met, which would allow for Mr. Adams to meet with the applicant and staff. Chair Phillips stated that he would also want to see drainage for the front curb and gutter.

There were no further public comments. The Chair closed the public hearing and invited the Commission to either continue the discussion regarding this item, or he would entertain a motion if no further discussion was necessary.

MOTION: Commissioner Fugal moved that the Planning Commission forward a POSITIVE recommendation of approval to the City Council on the request of Katherine Duvall for a subdivision

plat called Duvall Subdivision Plat 'A', located at approximately 325 East 700 North on property zoned R1-8 (Single-Family Residential) Zone; and adopting the exhibits, conditions, and findings of the Staff Report, and as modified by the condition below:

1. All Final Planning, Engineering, and Fire Department requirements are met.

Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

### <u>ITEM 2 – Public Hearing: Preliminary Subdivision Plat – Located at approximately 675 East</u> 700 North

12 (Monkey Town Neighborhood)

Public Hearing to Consider the Request of Bryson Seifert for a One-Lot Preliminary Subdivision Plat, called Seifert Addition Subdivision Plat 'A' on 0.59 Acres, approximately located at 675 East 700

North in the R1-9 (Single-Family Residential) Zone.

Mr. Douglass presented the Staff Report and stated that the above item is similar to the previous one. The applicant, Bryson Seifert is proposing a one-lot subdivision for the purpose of eliminating nuisance strips and making street frontage improvements. An aerial map was displayed. The request was found to meet all zoning requirements. Staff recommended approval.

The applicant was present to answer questions.

Chair Phillips opened the public hearing. There were no public comments. The Chair closed the public hearing and invited the Commission to either continue the discussion regarding this item, or he would entertain a motion if no further discussion was necessary.

**MOTION:** Commissioner Patten moved that the Planning Commission forward a POSITIVE recommendation of approval to the City Council on the request of Bryson Seifert for a subdivision plat called Seifert Addition Subdivision Plat 'A', located at approximately 675 East 700 North on property zoned R1-9 (Single-Family Residential) Zone; and adopting the exhibits, conditions, and findings of the Staff Report, and as modified by the condition below:

1. All Final Planning, Engineering, and Fire Department requirements are met.

Commissioner Redding seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

# <u>ITEM 3 – Public Hearing: Preliminary Subdivision Plat – Located at approximately 1025 North 600 West</u>

41 (String Town Neighborhood)

Public Hearing to Consider the Request of Scott Flora for a Four-Lot Preliminary Subdivision Plat called Bullock Subdivision Plat 'B' on 0.99 Acres, approximately located at 1025 North 600 West in the R1-8 (Single-Family Residential) Zone.

Mr. Douglass presented the Staff Report and stated that the property involves a deeper lot on which the applicant is requesting to develop three flag lots. An aerial map was displayed. The proposed flag lot stem will be between the home on the north side of the property. The remaining three lots will be in the rear. Each lot must be a minimum of 85 feet wide and have a lot area of 8,000 square feet. The applicant was found to meet all requirements. Staff recommended approval.

Commissioner Fugal commented that two of the lots are very close to the minimum requirements. He asked if staff was confident in those numbers. City Planner, Jacob Hawkins stated that the square footages are actual and greater than the required minimums.

Commissioner Martineau asked if the proposed hammerhead meets the Fire Code. Staff confirmed that it does.

The applicant's representative was present but had no comments.

Chair Phillips opened the public hearing.

Lillian Shephard reported that she lives on the north side of the subdivision. Her concern was that it has been a spillway and asked how it would be drained off as there is a dip in the property. If it is straightened out, she questioned where the water will go. She asked if the property was wide enough for a road. Chair Phillips explained that the existing home will be considered the first lot and is part of the subdivision. Mr. Wilson stated that in terms of water flow, the applicants are proposing to bring in fill to fix the dip in the property. There will also be some retention on the property. Most of the drainage will flow through a pipe to the existing ditch on the shoulder of 600 West. Ms. Shepherd asked if the applicant was responsible for the fence. Mr. Wilson was not sure but indicated that all City requirements will need to be met.

There were no further public comments. The Chair closed the public hearing and invited the Commission to either continue the discussion regarding this item, or he would entertain a motion if no further discussion was necessary.

**MOTION:** Commissioner Redding moved that the Planning Commission forward a POSITIVE recommendation of approval to the City Council on the request of Scott Flora for a subdivision plat called Bullock Subdivision Plat 'B', located at approximately 1025 North 600 West on property zoned R1-8 (Single-Family Residential) Zone; and adopting the exhibits, conditions, and findings of the Staff Report, and as modified by the condition below:

1. All Final Planning, Engineering, and Fire Department requirements are met.

Commissioner Patten seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

### ITEM 4 - Public Hearing: Conditional Use Permit - Located at 597 South Pleasant Grove

### Boulevard

(Sam White's Lane Neighborhood)

4 Public Hearing to Consider the Request of Jamie Wood for a Conditional Use Permit for Use #6830,

Special Training and Schooling, located at approximately 597 South Pleasant Grove Boulevard in

The Grove Zone – Commercial Sales Subdistrict.

Mr. Douglass reported that a few months earlier, the Commission heard a request for a Conditional Use Permit for the property for a preschool use. The subject property is located in the Grove Commercial Sales Subdistrict and the applicant's request is listed as a Conditional Use. The applicant, Jamie Wood, recently moved her salon business from another location to this one. In the process, she reached out to staff to see if she could expand the business to also include aesthetician training, which would fall under Use #6830-Special Training and Schooling. For preschool use, the only condition that was required was that there be adequate parking for patrons. For the proposed use, staff recommended approval as long as all parking requirements are met. Of the total 97 parking stalls, there are 23 developable spaces between this suite and one more that has not yet been occupied. The training will include tutoring in permanent makeup, microblading, laser, chemical peels, and laser hair removal. The applicant expects to have up to 10 students at a time with the same hours as the salon. In the event the applicant has 10 students, an additional 7 parking spaces will be required at a ratio of 2 parking spaces for every 3 students in addition to 1 for each staff member. Staff recommended approval. Parking issues were discussed. Mr. Hawkins explained that with the proposed use, 81 spaces will be occupied of the total 97 stalls. 16 will remain for the additional suite.

The applicant, Jamie Wood, reported that she is a Master Esthetician Instructor with the State of Utah. In 2017, she began microblading and discovered that students need better training than they are offered in Esthetician School. She hopes to provide the best training for her students. Students will pay tuition for Master Esthetician Training. A question was raised as to whether there was a potential for more than 10 students. Ms. Wood stated that she does not expect to.

Chair Phillips opened the public hearing. There were no public comments. The Chair closed the public hearing and invited the Commission to either continue the discussion regarding this item, or he would entertain a motion if no further discussion was necessary.

**MOTION:** Commissioner Fugal moved that the Planning Commission forward a POSITIVE recommendation of approval to the City Council for the request of Jamie Wood for a Conditional Use Permit to allow Use #6830 — Special Training and Schooling on property zoned The Grove-Commercial Sales Subdistrict, located at 597 South Pleasant Grove Boulevard; and adopting the exhibits, conditions, and findings of the Staff Report, and as modified by the conditions below:

1. All Final Planning, Engineering, and Fire Department requirements are met.

2. All parking stall requirements are met.

Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

<u>ITEM 5 – Public Hearing: Vicinity Plan Amendment – Located in the Quadrant Surrounded</u>
<u>by Locust Avenue, 900 South, 1150 East, and 1000 South</u> (Scratch Grave Neighborhood) Public
Hearing to Consider the Request of Pleasant Grove City for a Vicinity Plan Amendment, located
within the Area Delineated by Locust Avenue, 900 South, 1150 East, and 1000 South, in the R1-9
(Single Family Residential) Zone.

Mr. Douglass presented the Staff Report and stated that previously the City adopted a Vicinity Plan that outlined potential development for larger residential lots. The intent was to ensure that if any larger properties are subdivided or developed, any new lots would have adequate access and service. Currently, if any of the identified lots are subdivided, they should be developed in a specific manner. Recently, applicants from the area have approached staff with the intent to subdivide the property. After reviewing some of the proposed concept plans and taking several other factors into account, staff found that the existing Vicinity Plan could be modified to better address the existing property lines and consider how potential future development will be provided with adequate access and service.

 Mr. Douglass reiterated that it is a Vicinity Plan and not a subdivision. If any of the properties are developed, the proposed Vicinity Plan identifies where accesses should be located to meet the City's requirements for access and service. If any property owners in the area are anticipating subdividing the property, the Vicinity Plan will serve as a guideline in the design as long as all zoning and engineering requirements are met. Careful consideration was placed on the design of the Vicinity Plan. The updated version takes into account existing property lines as they are today, removes culde-sacs from the previous version, and accounts for the unique circumstances around how future properties south of 900 South will receive services such as culinary water, sewer, stormwater, and irrigation. Staff recommended approval.

Commissioner Fugal asked staff if they are confident that they are not landlocking any properties by eliminating one of the thru roads between 900 South and 1000 South with the proposed Vicinity Plan if they are developed in the future. Mr. Hawkins confirmed that no properties will be landlocked as a result of the proposed change. He had a more detailed drawing showing how each property could potentially be subdivided. He noted that they are really just focusing on the access.

Chair Phillips verified that they are not changing any property lines. The action taken tonight also does not approve any future subdivision requests.

Chair Phillips opened the public hearing.

Juan Castillo gave his address as 1110 East 900 South. His understanding was that the City is providing a general layout for how a development would look. He was concerned that a proposal was being put forward for a relatively small neighborhood and finding only now how it would lay out. It seemed to him that there ought to be some consideration for an additional thru street. He did not feel that input from the neighbors had been requested. Mr. Castillo asked if the amended Vicinity Plan envisions access to 1000 South. Mr. Wilson stated that the intent was for it to connect all the way through. It was clarified that access to 1000 South will be possible but the cul-de-sacs will be removed. Mr. Castillo was surprised to hear that there had been some subdivision applications and asked where that was proposed. Mr. Wilson stated that there are no pending applications. There have been requests over the past two or three years to meet with staff about a potential concept plan. In

those cases, staff has provided direction on how to move forward, if desired. There were no formal applications underway.

Sterling Naunann asked if a portion could be developed rather than the entire area and if the road would have to go all the way through before anyone could develop on the property. Mr. Wilson stated that it would depend on the location of the site being developed. Mr. Naunann did not want the road to be developed and did not support what was proposed. He asked about the area behind his home and potential access. Mr. Wilson stated that the primary access will remain where it is. Lindon City will ultimately decide that but he did not expect Mr. Naunann to have access onto that road from his property.

Eve Werner, a 725 North resident, asked about the proposed road. She stated that she has a very busy road in front of her property and potentially another in her backyard. She stated that it would impact a full block and result in the residents being sandwiched between two busy roads. She thought it made more sense for the lots on the opposite side to back up to their fence line rather than put a road through. Commissioner Martineau stated that doing so would require splitting the lots in half, which would make most of them unbuildable. The current zoning of the adjoining properties is R1-9, which allows for 9,000 square-foot minimum lot sizes. Ms. Werner felt that the proposed wording was overly vague. Mr. Wilson stated that the detail in the plan caused more confusion. The intent is to provide general guidance. It was noted that for this matter the City is the applicant. Ms. Werner asked how the City will reduce the impact on homeowners. Chair Phillips stated that the Vicinity Plan is a guideline to show where the road will be anticipated. The intent was to clean up the Vicinity Plan and improve it for future development.

In response to a question, Mr. Wilson stated that the proposed road has been on the Master Plans for both Lindon City and Pleasant Grove for some time. Because it is a continuation of North Town Boulevard, the County's Long-Range Plan shows it as continuing onward and into Orem. It is a regional collector road. The intent is for it to help direct traffic to major roads. Ms. Werner stated that traffic travels very fast already at 45 MPH and asked how it can be made safe. Commissioner Fugal stated that when it is built out, an Environmental Impact Study or Traffic Study will be performed to address those issues. The outcome will ultimately depend on what is developed and when.

Royal West reported that when the area was sold, Lindon and Pleasant Grove required a fence be paid for down on the south side of the road. The requirement has since been removed. The fence was intended to serve as a barrier. He noted that the proposed road will impact everyone. Mr. West clarified that the fence was a condition of development.

*Kelly Naumann* asked if there would be homes facing south on the proposed road. It was confirmed that there could be. Commissioner Fugal commented that the previous plan caused confusion and was not specifically how the developer would have to develop the property. If desired, the homes could ultimately face the road.

Terry Tenney reported that she and her husband own property in Pleasant Grove and Lindon. They currently reside in Lindon. She was concerned that there are currently no plans in place for development on the property, however, Angela Kelson has purchased a lot north of the proposed road as well as much of the easement. Mrs. Tenney asked why someone would do that if they did not plan

to develop. Chair Phillips stated that this person may plan to develop but no formal application has been submitted to the City. Tonight, they are simply discussing the City plan.

Mrs. Tenney asked what the R1-9 plan is to be amended to. Chair Phillips explained that the zoning is not changing, which addresses the minimum size of the lot. Commissioner Martineau reported that the previous plan included five cul-de-sacs. The amendment would eliminate the cul-de-sacs and result in the roads going through. It was clarified that no lot sizes are being approved. The request was only to amend the Vicinity Plan. If no development takes place, no road will be built. However, in anticipation of potential future development, there could be a need for a road and the Master Plan provides that opportunity. No consideration was being given to changing the zoning from R1-9 or the lot sizes. Mrs. Tenney wanted to preserve the quality of the area and protect against high-density housing.

 Ryan Slade asked about the fence that will be necessary on the south side of the road and if it will still be required. Chair Phillips was not aware of the history of the fence or what was required so the decision tonight should not affect that. What is existing should remain. The intent behind eliminating the cul-de-sacs was to better control traffic. If the lots sell, the developer would have to put the roads in. What is proposed takes into consideration property lines that currently exist, which results in less of an impact on each individual property. Mr. Wilson reported that the culinary water will be serviced by Lindon. Everything that is not currently served on 900 South is serviced by Lindon City to the south of the lots for culinary water and sewer. Utility services were discussed.

Matt Stokes owns property in the area and acknowledged the noise and traffic on either side of the properties as well as the potential danger for children. He asked if the traffic would be traveling as fast. He did not understand why the residents would not have access to the road. Mr. Wilson stated that access will depend on where Mr. Stokes' home is located. He stated that those details will be addressed between Pleasant Grove and Lindon to determine whether additional access to the roadway will be allowed. The road is meant to be a larger collector-type road. They typically try to limit the number of accesses to the extent possible. There will likely be some properties that require access and some already have access. Lots in Lindon already have frontage and access to the Lindon City street so they will not be granted an additional access on this side.

Matt Steubner asked if Lindon City still owns the property on the south side where the new road is envisioned. Commissioner Martineau stated that there is a small section that Lindon owns. The rest is private. Mr. Wilson reported that staff met with representatives from Lindon City last week who were aware of what was proposed. Chair Phillips clarified that the proposed road is not going in now. Mr. Steubner stated that there are a lot of concerns with what is proposed on the part of Lindon City residents. He thanked the Commission for allowing their voices to be heard.

Clint Gelson reported that he purchased the Storey property and expressed support for the concept. He owns property at 1080 East and stated that the new crossroad is possible. When they purchased the Storey Estate it came with a parcel that there have been questions about. Their intent was to develop flag lots in the back for their children. They have not been contacted by anyone from the City about the proposed road. Mr. Gelson had no objection to the proposed Vicinity Plan Amendment. They have spoken to the City but have not yet submitted a formal application for the flag lots. Chair Phillips stated that it will become a question when Mr. Gelson seeks to develop.

Doug Degelbeck reported that they submitted a formal application to develop two flag lots about three months ago and paid the fee. Because of the proposed roadway, they put the project on hold. What they envision will change slightly as a result of the road going to 1000 South. They would like to move forward with two lots as soon as possible.

There were no further public comments. The Chair closed the public hearing and invited the Commission to either continue the discussion regarding this item, or he would entertain a motion if no further discussion was necessary.

Commissioner Fugal commented that the proposed design is better than it was previously. He stated that it has always been known that 1000 South was intended to be a collector road. He considered what was proposed to be a better use of the land and the planning for sewer and drainage.

**MOTION:** Commissioner Martineau moved that the Planning Commission recommend APPROVAL for the request of Pleasant Grove City for a Vicinity Plan Amendment for the property bounded by Locust Avenue, 900 South, 1150 East, and 1000 South in the R1-9 (Single-Family Residential) Zone; and adopting the exhibits, conditions, and findings of the Staff Report, and as modified by the condition below:

1. All Final Planning, Engineering, and Fire Department requirements are met.

Commissioner Redding seconded the motion. The Commissioners unanimously voted "Aye". The motion carried.

### <u>ITEM 6 – Public Hearing: Code Text Amendment – Section 11-3-4-B.1: Cul-De-Sacs</u> (City Wide)

Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 11-34 B.1, Cul-De-Sacs. The City is proposing to Remove the Possibility of Extending Cul-de-Sacs Beyond
 their Maximum Permitted Length.

The above item was continued to January 11, 2024.

<u>ITEM 7 – Public Hearing: Code Text Amendment – Section 10-9-C: Medium Multiple-Residential Zone (RM-7)</u>

35 (City Wide)

- Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-9C:
- 37 Medium Multiple-Residential Zone (RM-7). The City is proposing to Make Changes to the Density,
- 38 Permitted Uses, and Requirements in the RM-7 Zone.

The above item was continued to January 11, 2024.

#### ITEM 8 - Public Hearing: Code Text Amendment - Section 10-15-14: Flag Lots 1 2 (City Wide) Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 1015-3 14, Flag Lots. The City is proposing to Make Changes to the Zoning Requirements for the Potential 4 Development of Interior Lots with the Intent to Facilitate the Development of Infill Areas in an 5 Orderly and Reasonable Manner. 6 7 8 The above item was continued to January 11, 2024. 9 ITEM 9 - Public Hearing: Code Text Amendment - Section 11-7: Plan and Plat Requirements 10 11 (City Wide) Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 11-7: 12 Plan and Plat Requirements. The City is proposing to Make Changes to the Review and Approval 13 Process for Subdivisions. 14 15 The above item was continued to January 11, 2024. 16 17 ITEM 10 - Public Hearing: Code Text Amendment - Section 10-6-2: Definitions 18 (City Wide) 19 Public Hearing to Consider a Request from Pleasant Grove City to Amend City Code Section 10-62: 20 Definitions. The City is proposing to Make Changes to the Definitions of "Lot Coverage" and Create 21 New Definitions for the Term "Enclosed". 22 23 24 The above item was continued to January 11, 2024. 25 26 Review and Approve the Minutes from the November 16, 2023, Meeting. 27 28 **MOTION:** Commissioner Patten moved to APPROVE the minutes from November 16, 2023. Commissioner Martineau seconded the motion. The Commissioners unanimously voted "Aye". The 29 30 motion carried. 31 32 The Planning Commission Meeting adjourned at 8:20 p.m. 33 34 35 36 Planning Commission Chair 37 38 Christina Gregory, Planning and Zoning Assistant 39 40 41 1/11/2024 42 Date Approved 43